



## MINUTES OF: LEBANON CITY COUNCIL

Date: MARCH 8, 2011

Council of the City of Lebanon met in regular session on March 8, 2011 in the Council Chambers. The meeting was called to order at 7:00 p.m. with the following members present; Messrs: Heitkamp, Cole, Monroe, Norris, Rodriguez, Mrs. Flick and Mayor Brewer. Also present was City Manager, Pat Clements, City Attorney, Mark Yurick, Deputy City Manager, Scott Brunka and City Auditor, Sharee' Dick.

The invocation was given by Mr. Norris. Mayor Brewer asked everyone to remain standing for the Pledge of Allegiance. The JROTC Color Guard preformed Colors and everyone said the Pledge of Allegiance.

At this time Mayor Brewer asked for consideration of Council minutes for the February 8th regular meeting. Motion to adopt the minutes as submitted was made by Mr. Norris seconded by Dr. Monroe. Roll call vote to adopt was as follows: Mr. Norris, yes; Mr. Heitkamp, yes; Mrs. Flick, abstained; Mayor Brewer, yes; Dr. Monroe, yes; Mr. Cole, yes; Mr. Rodriguez, yes. Motion to adopt the February 14th work session minutes as submitted was made by Mr. Heitkamp seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor. Motion to adopt the March 1st work session minutes as submitted was made by Dr. Monroe seconded by Mrs. Flick. Roll call vote was as follows: Mr. Rodriguez, yes; Mr. Cole, abstained; Dr. Monroe, yes; Mayor Brewer, yes; Mrs. Flick, yes; Mr. Heitkamp, yes; Mr. Norris, yes.

**Ordinance No. 2010-121** An Ordinance adopting Section 503.07 of the Lebanon Code of Codified Ordinances to impose Residency Restrictions on Sex Offenders, Child Victim Offenders, and Tier I, II and III Sex Offenders/Child Victim Offenders and providing for Injunctive Relief was read in title only by the City Attorney. This legislation will establish additional residency restrictions for registered sex offenders by prohibiting the establishment of residence within 1,000 feet of a playground, public park, daycare, preschool, school, swimming pool, or library. Mayor Brewer asked for a motion to table the legislation as discussed at the March 1st work session. Mr. Norris seconded by Mr. Heitkamp made motion to table Ordinance No. 2010-121. Roll call vote to table was as follows: Mr. Rodriguez, no; Dr. Monroe, yes; Mr. Norris, yes; Mayor Brewer, yes; Mr. Heitkamp, yes; Mr. Cole, yes; Mrs. Flick, no.

**Resolution No. 2011-014** A Resolution approving the City of Lebanon's Civic Donation Program Allocation for 2011 was read in title only by the City Attorney. This legislation will approve the allocation of funding and utility service credit for the 2011 Civic Donation Program. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2011-014 was made by Mrs. Flick seconded by Mr. Cole. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-015** An Ordinance authorizing the City Manager to execute an agreement with MILCON Concrete Inc., and declaring an emergency was read in title only by the City Attorney. This legislation will approve an agreement with MILCON Concrete, Inc. for the replacement of the sanitary sewer and water main on East Park Avenue between Deerfield Road and South East Street. This project will be funded from the Water System Improvement Fund and the Sewer System Improvement Fund for a total cost of \$150,400. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-015 was made by Mr. Norris seconded by Mr. Heitkamp. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-016** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation will approve additional appropriations in the Water System Improvement Fund in the amount of \$77,000 and the Sewer System Improvement Fund in the amount of \$90,000 to support the East Park Avenue sanitary sewer and water system improvement project. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-016 was made by Mr. Norris seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-017** An Ordinance providing for the issuance of \$7,500,000 Water System Improvement Bond Anticipation Notes (GCWW Interconnect Project), 2011 Renewal and New Money, by the City of Lebanon, Ohio, in anticipation of the issuance of Bonds of the City and declaring an emergency was read in title only by the City Attorney. This legislation will approve the renewal of the \$5.5 million Water System Improvement Bond Anticipation Note and an increase of \$2 million to support the deployment of Automated Meter Reading equipment, and various water main replacement projects. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-017 was made by Mr. Heitkamp seconded by Mr. Norris. Mrs. Flick spoke briefly about the deployment of AMR equipment and Dr. Monroe advised there would be legislation upcoming regarding privacy standards related to the meters as well. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-018** An Ordinance authorizing the purchase of a replacement vehicle for the Cemetery Operations was read in title only by the City Attorney. This legislation will approve the purchase of a 2012 Isuzu truck to support cemetery interment and maintenance operations in the amount of \$33,500. This vehicle will replace a 1995 model that has reached the end of its service life. Mr. Clements explained the legislation. Mr. Norris seconded by Mr. Cole made motion for this legislation to receive a first reading.

**Ordinance No. 2011-019** An Ordinance to approve the dedication plat for Right-of-Way on Mason-Morrow-Millgrove Road and Columbia Road and declaring an emergency was read in title only by the City Attorney. This legislation approves the final plat to dedicate right-of-way along Mason-Morrow-Millgrove Road and Columbia Road for the Muddy Creek Bridge relocation project, as recommended by the Planning Commission. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-019 was made by Mr. Heitkamp seconded by Dr. Monroe. Roll call vote to adopt was unanimous in favor.

**Resolution No. 2011-020** A Resolution approving a Memorandum of Understanding with the City of Mason, Ohio was read in title only by the City Attorney. This legislation will approve a memorandum of Understanding (MOU) with the City of Mason outlining the City's intention to dedicate bike trail right-of-way in the vicinity of Mason-Morrow-Millgrove Road to provide for the future connection of Mason's bike trail system to Lebanon's trail system. Mr. Clements explained the legislation. Motion to adopt Resolution No. 2011-020 was made by Dr. Monroe seconded by Mr. Norris. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-021** An Ordinance authorizing the City Manager to execute an agreement with Donald and Charlotte Spurling and declaring an emergency was read in title only by the City Attorney. This legislation will approve the purchase of a 0.7 acre parcel located at 3949 Columbia Road, which will support the expansion of the Columbia Business Park, in the amount of \$135,000. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-021 was made by Dr. Monroe seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-022** A Supplemental Appropriation Ordinance and declaring an emergency was read in title only by the City Attorney. This legislation will approve additional appropriation in the Tax Increment Financing Fund in the amount of \$135,000 to support the purchase of land to expand the inventory of available industrial sites in the City-owned Columbia Business Park. Mr. Clements explained the legislation. Motion to adopt Ordinance No. 2011-022 was made by Mr. Norris seconded by Mrs. Flick. Roll call vote to adopt was unanimous in favor.

**Ordinance No. 2011-023** An Ordinance amending Chapter 1304 of the Codified Ordinances providing for Building and Zoning Fees was read in title only by the City Attorney. This legislation will approve updates to Chapter 1304 of the Codified Ordinances providing for Building and Zoning Fees due to the City's contract for use of Warren County inspection services. Mr. Clements explained the legislation. Mrs. Flick seconded by Mr. Norris made motion for this legislation to receive a first reading.

Mayor Brewer asked for the City Manager's report. Mr. Clements advised the next work session of Council would be March 14, the next regular meeting of Council would be March 22 and Planning Commission would be March 15th, all at 7:00 p.m.

Dr. Monroe stated that he appreciated the Civic Donation organizations. He said that Council had only funded the program at about 60% of the requests and he wanted the organizations to know he commended them on the great job they do in the community.

Mr. Norris thanked staff and the citizens of Lebanon for their patience with the road construction projects going on in and around the City.

Mr. Heitkamp said that the decrease in funding for the Civic Donation programs in no way reflected on their value to the community and he thanked them for their hard work.

Mrs. Flick reminded everyone that Whit's was open for the season again.

Mayor Brewer thanked the boy scouts for being in the audience this evening.

There being no further business to come before this Council motion to adjourn the meeting was made by Dr. Monroe seconded by Mrs. Flick. Roll call vote to adjourn was unanimous in favor. The meeting was adjourned at 7:25 p.m.

Passed:

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Mayor

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Clerk